



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

***Section of Environmental Analysis***

***INSERT DATE***

To: Director of Public Service Announcements

From: Victoria Rutson, Project Manager

Date: September 27, 2000

RE: Finance Docket No. 33407 — Dakota, Minnesota & Eastern Railroad Corporation —  
Proposed Construction Into the Powder River Basin: Public Service Announcement on  
Availability of Draft EIS

Attached please find a public service announcement regarding the referenced railroad construction project that may affect your community. The Dakota, Minnesota & Eastern Railroad Corporation (DM&E) has filed an application with the Surface Transportation Board (Board) for authority to construct and operate new rail line and associated facilities in east-central Wyoming, southwest South Dakota, and south-central Minnesota. The Powder River Basin (PRB) Expansion Project is designed to provide access for a third rail carrier to serve Wyoming's PRB coal mines for transport of coal eastward and increase the operational efficiency of DM&E's existing rail line in Minnesota and eastern South Dakota.

We ask that your station please air the attached public service announcement as many times as possible between September 27, 2000 and January 5, 2001. This information is intended to inform your local community of the availability of the Draft EIS and how to file written comments, participate in the public hearings that will be held, and obtain additional information.

Should you have any questions or comments, please contact me, Victoria Rutson, SEA's Project Manager for the proposed rail construction project, at SEA's toll-free Environmental Hotline (877) 404-3044.

Thank you in advance for your assistance.

Surface Transportation Board  
Section of Environmental Analysis

Proposed Construction Into the Powder River Basin

PSA Radio Spot  
:30

The Dakota, Minnesota & Eastern Railroad is seeking authority from a Federal agency, the Surface Transportation Board, to construct and operate new rail line facilities in Wyoming, South Dakota, and Minnesota.

The Board, in cooperation with five cooperating agencies, has released a Draft Environmental Impact Statement that analyzes the potential environmental impacts of the proposed project. Written comments are due to the Board by January 5, 2001. Public meetings will be held October 30, 2000 through November 16, 2000. If you have any questions or would like additional information, please call the Board's toll-free Environmental Hotline at 1-877-404-3044.



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Section of Environmental Analysis*

September 27, 2000

Dear Reader:

The Surface Transportation Board's Section of Environmental Analysis (SEA) is pleased to provide you with the enclosed environmental document for the Dakota, Minnesota & Eastern Railroad Corporation's (DM&E) proposed rail line construction into Wyoming's Powder River Basin. Depending upon your request, you are receiving:

- The Executive Summary of the Draft Environmental Impact Statement.
- The Draft Environmental Impact Statement (Hard Copy).
- The Draft Environmental Impact Statement (CD-ROM).

This Draft Environmental Impact Statement was prepared by SEA in cooperation with the U.S. Department of Agriculture, Forest Service (USFS), the U.S. Department of the Interior, Bureau of Land Management (BLM), the U.S. Army Corps of Engineers (COE), the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), and the U.S. Coast Guard (Coast Guard). Under the requirements of the National Environmental Policy Act, the Board is the lead agency for preparing the Draft Environmental Impact Statement, and USFS, BLM, COE, Reclamation, and the Coast Guard are cooperating agencies. DM&E's proposal would require decisions from the Board and each of the five cooperating agencies.

The Draft Environmental Impact Statement discusses the potential environmental impacts that could result from the proposed Powder River Basin Expansion Project and includes SEA's preliminary recommendations for mitigating possible environmental effects. The Draft Environmental Impact Statement reflects SEA's independent analysis and considers the views of Federal, state, and local agencies, Tribes, ranchers, farmers, communities, homeowners, organizations, businesses, and environmental groups.

**Availability of the Draft Environmental Impact Statement**

Because the Draft Environmental Impact Statement is quite large – over 2,000 pages and several volumes – SEA has made the entire document available to key governmental agencies and other appropriate entities, parties of record, and those who

specifically requested the entire document in response to a postcard mailing this past June. SEA has also distributed the Draft Environmental Impact Statement to over 80 public libraries and asked that the Draft Environmental Impact Statement be made available in their reference section. To obtain the name of the library nearest you that has received the Draft Environmental Impact Statement, please call the Environmental Hotline at (877) 404-3044, and leave your name, address and telephone number. The entire document also is available on the Board's website at <http://www.stb.dot.gov>.

### **Public Comment and Review of the Draft Environmental Impact Statement**

The Environmental Protection Agency will publish a notice in the Federal Register announcing the availability of the Draft Environmental Impact Statement. This notice starts the clock running on the public comment period. The notice should appear on October 6, 2000. The public has 90 days to provide comments on the Draft Environmental Impact Statement. All comments must be postmarked no later than 90 days from the expected October 6<sup>th</sup> publication date (**January 5, 2001**).

The public and any interested parties are encouraged to make written comments on all aspects of the Draft Environmental Impact Statement. SEA will consider all comments in preparing the Final Environmental Impact Statement, which will include SEA's final conclusions on potential significant impacts and SEA's final recommendations, including mitigation. The Board will then make its final decision regarding this project and any environmental conditions it might impose. When considering whether to grant final approval of the proposed transaction, the Board will consider the potential environmental effects and the cost of any environmental mitigation it might impose on the project.

### **Public Comment and Review of Related Materials**

SEA also invites comments on the Programmatic Agreement and Identification Plan, the Memorandum of Agreement, the Biological Assessment, and the Forest Plan Amendments, which are set forth in the Appendices to the Draft Environmental Impact Statement. SEA advises that comments on the Forest Plan Amendments should be filed directly with the USFS. Please send written comments on the Forest Plan Amendments to Wendy Schmitzer, USFS Project Coordinator, Douglas Ranger District, 2250 East Richards Street, Douglas, Wyoming, 82633, or call (307) 358-1634. You may email comments on the Forest Plan Amendments to: [wschmitzer@fs.fed.us](mailto:wschmitzer@fs.fed.us).

Finally, SEA advises that comments on the U.S. Army Corps of Engineers permitting requirements under Section 404 of the Clean Water Act, specifically on DM&E's Section 404 Permit Applications, should be filed directly with the appropriate

COE district office. Please send comments on the Section 404 Permit Application relating to Minnesota to Mr. Timothy Fell, U.S. Army Corps of Engineers, St. Paul District, 190 5<sup>th</sup> Street East, St. Paul, MN, 55101-1638. Please send comments on the Section 404 Permit Application relating to South Dakota and Wyoming to Mr. Jerry Folkers, U.S. Army Corps of Engineers, Omaha District, 215 North 17<sup>th</sup> Street, Omaha, NE, 68102-4978.

When submitting comments on the Draft Environmental Impact Statement and the recommended environmental mitigation, please be as specific as possible and substantiate your concerns and recommendations.

Please mail written comments on the Draft Environmental Impact Statement to the address below. For comments exceeding five pages in length, please mail a signed original plus 10 copies. For comments five pages or less, a signed original is sufficient. Comments must be mailed by **January 5, 2001** to:

Office of the Secretary  
Case Control Unit  
STB Finance Docket No. 33407  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Please write the following in the lower left hand corner of the envelope:

Attention: Victoria Rutson  
Environmental Project Manager  
Environmental Filing

### **Public Meetings**

In addition to receiving written comments on the Draft Environmental Impact Statement, SEA will host 12 public meetings on the Draft Environmental Impact Statement at the locations and times, and on the dates listed below. At each meeting, SEA and the participating cooperating agencies will give a brief presentation and interested parties may submit written comments or make oral comments. All public meetings will follow the same format and agenda. SEA will have a transcriber available at each meeting to ensure that oral comments are accurately captured. In some locations, two meetings will be held. Both the afternoon and evening meetings will follow the same format and agenda; it is not necessary to attend both meetings.

Meetings will be held at the following locations and at the dates and times indicated below:

**Douglas, WY**

Best Western Douglas Inn  
1450 Riverbend Drive  
Douglas, WY 82633  
Monday, October 30, 2000  
6:00 - 10:00 p.m.

**Newcastle, WY**

The Fountain Inn  
2 Fountain Plaza  
Newcastle, WY 82701  
Wednesday, November 1, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

**Rapid City, SD**

Rushmore Plaza Civic Center  
444 Mount Rushmore Road North  
Rapid City, SD 57701  
Thursday, November 2, 2000  
6:00 - 10:00 p.m.

**Pierre, SD**

Best Western Kings Inn  
200 South Pierre  
Pierre, SD 57501  
Monday, November 13, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

**Brookings, SD**

Brookings Inn  
2500 East 5<sup>th</sup> Street  
Brookings, SD 57006

Tuesday, November 14, 2000

1:00 - 4:00 p.m. and

6:00 - 10:00 p.m.

**Mankato, MN**

Best Western Hotel and Restaurant

1111 Range Street

North Mankato, MN 56003

Wednesday, November 15, 2000

1:00 - 4:00 p.m. and

6:00 - 10:00 p.m.

**Rochester, MN**

Mayo Civic Center

30 Civic Center Drive South East

Rochester, MN 55904

Thursday, November 16, 2000

1:00 - 4:00 p.m. and

6:00 - 10:00 p.m.

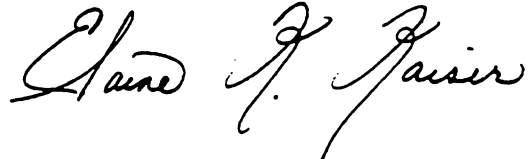
SEA will also conduct a meeting specifically for interested Tribes and Tribal organizations, as part of the formal government-to-government consultation process on the Draft Environmental Impact Statement.

**Pre-Registration for Public Meetings:** Persons wanting to speak at a public meeting are strongly urged to pre-register by calling the toll-free Environmental Hotline for this project at (877) 404-3044 and leave their name, telephone number, the name of any group, business, or agency affiliation, if applicable, and the date and time of the meeting at which they wish to speak. The deadline for pre-registration for all meetings is **October 20, 2000**.

Persons will be called to speak at each meeting in the order in which they pre-registered. Those wishing to speak but that did not pre-register will be accommodated at each meeting as time allows. Those wishing to speak at more than one meeting will also be accommodated as time allows and after all others have had an opportunity to participate. As SEA would like as many persons as possible to participate and given that there will be a limited amount of time at each meeting, all speakers are strongly encouraged to prepare summary oral comments, and submit detailed comments in writing. SEA also encourages groups of individuals with similar comments to designate a representative to speak for them.

Thank you for your interest and participation in this process. If you have any questions regarding how to comment on the Draft Environmental Impact Statement, please feel free to call the toll-free Environmental Hotline for this project at (877) 404-3044. We welcome your comments.

Sincerely,

A handwritten signature in black ink, reading "Elaine K. Kaiser". The signature is written in a cursive, flowing style.

Elaine K. Kaiser  
Chief  
Section of Environmental Analysis





**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

***Section of Environmental Analysis***

September 27, 2000

The Honorable Thomas Daschle  
Senator  
U.S. Senate  
Washington, DC 20510-4103

Dear Senator Daschle:

On February 20, 1998, the Dakota, Minnesota & Eastern Railroad Corporation (DM&E) filed an application with the Surface Transportation Board (Board) for authority to construct and operate new rail line and associated facilities in east-central Wyoming, southwest South Dakota, and south-central Minnesota. The Powder River Basin (PRB) Expansion Project is designed to provide access for a third rail carrier to serve Wyoming's PRB coal mines for transport of coal eastward and increase the operational efficiency of DM&E's existing rail line in Minnesota and eastern South Dakota.

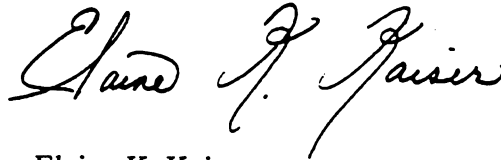
The Board's Section of Environmental Analysis (SEA), in cooperation with the U.S. Department of Agriculture Forest Service, U.S. Army Corps of Engineers, U.S. Department of the Interior Bureau of Land Management and Reclamation, and U.S. Coast Guard, is pleased to provide you with the enclosed Draft Environmental Impact Statement (EIS) on the proposed Powder River Basin construction project. We emphasize that this document is a draft and contains SEA's preliminary analysis and recommendations for mitigating the potential environmental effects of the proposed DM&E project.

SEA encourages the public to provide written comments on the Draft EIS. SEA will also host 12 public meetings during the 90-day comment period. Comments must be submitted to the Board by January 5, 2001. The letter found inside the front cover of the Executive Summary includes details on submitting written comments, participating in the public meetings.

If you would like additional information about the environmental review process, please feel free to contact me or Victoria Rutson, SEA's project manager for the proposed DM&E construction, by calling SEA's toll-free Environmental Hotline at (877)-404-3044. Additional

information can also be found on the Board's website at <http://www.stb.dot.gov>. Thank you for your interest and participation.

Sincerely yours,

A handwritten signature in black ink, reading "Elaine K. Kaiser". The signature is written in a cursive style with a large, stylized "E" and "K".

Elaine K. Kaiser  
Chief  
Section of Environmental Analysis

Enclosure



**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

*Section of Environmental Analysis*

September 27, 2000

Re: Finance Docket No. 33407 -- Dakota, Minnesota & Eastern Railroad Corporation  
-- Construction Into the Powder River Basin: Notice of Availability of Draft  
Environmental Impact Statement, Notice of Comment Period, Notice of Public  
Meetings

Dear Reference Librarian:

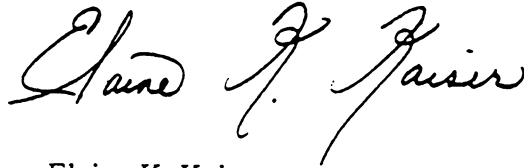
Enclosed please find the Draft Environmental Impact Statement (EIS) for Dakota, Minnesota & Eastern Railroad's (DM&E's) proposed rail construction project into the Powder River Basin. The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) prepared the Draft EIS in cooperation with five cooperating agencies: U.S.D.A. Forest Service, U.S.D.I. Bureaus of Land Management and Reclamation, U.S. Army Corps of Engineers, and U.S. Coast Guard.

The agencies are asking that your library place this Draft EIS in a reference or other appropriate section to allow for public access and review. If you have received a copy of Section 404 Permit Applications for the U.S. Army Corps of Engineers, please place these documents together. Please keep this material available until the Board makes its final decision in this case. You may have received more than one copy of the Draft EIS and may have received a copy in Compact Disc format depending on your community's level of interest in the proposed project.

The Draft EIS includes an analysis of the potential environmental effects of the proposed construction and SEA's preliminary conclusions and recommendations for mitigating those potential effects. SEA encourages public comment on all aspects of the Draft EIS, and is providing a 90-day comment period. Comments must be postmarked by January 5, 2001. SEA will consider all timely comments in preparing a Final EIS. Instructions for submitting written comments on the proposed project and participating in the public meetings that will be held at various locations from October 30, 2000 to November 16, 2000 are contained in the cover letter found inside the Draft EIS.

Thank you in advance for your assistance. Should you have any questions or comments, please call SEA's toll-free Environmental Hotline at (877) 404-3044.

Sincerely yours,

A handwritten signature in cursive script, reading "Elaine K. Kaiser". The signature is fluid and elegant, with the first name "Elaine" being the most prominent part.

Elaine K. Kaiser  
Chief  
Section of Environmental Analysis

Enclosure



***Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001***

# NEWS

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FOR IMMEDIATE RELEASE  
October 20, 2000  
No. SEA-PM-01

Contact: Victoria Rutson  
(877) 404-3044

**SURFACE TRANSPORTATION BOARD TO HOST PUBLIC MEETINGS ON  
DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR DAKOTA,  
MINNESOTA & EASTERN RAILROAD'S PROPOSED POWDER RIVER  
BASIN EXPANSION**

The Surface Transportation Board's Section of Environmental Analysis (SEA) will host public meetings to receive comments on the Draft Environmental Impact Statement (Draft EIS) prepared for the Dakota, Minnesota & Eastern Railroad's proposed Powder River Basin Expansion. At each meeting, SEA will give a brief presentation and then receive public comments on the Draft EIS.

Meetings will be held in the Wyoming and South Dakota areas during the week of October 30 at the following locations, and at the dates and times listed:

**Douglas, WY**

Best Western Douglas Inn  
1450 Riverbend Drive  
Douglas, WY 82633  
Monday, October 30, 2000  
6:00 - 10:00 p.m.

**Rapid City, SD**

Rushmore Plaza Civic Center  
444 Mount Rushmore Road North  
Rapid City, SD 57701  
Thursday, November 2, 2000  
6:00 - 10:00 p.m.

**Newcastle, WY**

The Fountain Inn  
2 Fountain Plaza  
Newcastle, WY 82701  
Wednesday, November 1, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

In addition, written comments on the Draft EIS may be submitted until **January 5, 2001**.

For comment letters over 5 pages, please mail a signed original plus 10 copies. For comment letters 5 pages or less, a signed original is sufficient. All comments must be mailed to:

Office of the Secretary  
Case Control Unit  
STB Finance Docket No. 33407  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

Please write the following in the lower left hand corner of the envelope:

Attention: Victoria Rutson  
Environmental Project Manager  
Environmental Filing.

If you would like more information, please call SEA's toll-free environmental hotline at (877) 404-3044.



*Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001*

# NEWS

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FOR IMMEDIATE RELEASE  
November 2, 2000  
No. SEA-PM-02

Contact: Victoria Rutson  
(877) 404-3044

**SURFACE TRANSPORTATION BOARD TO HOST PUBLIC MEETINGS ON  
DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR DAKOTA,  
MINNESOTA & EASTERN RAILROAD'S PROPOSED POWDER RIVER  
BASIN EXPANSION**

The Surface Transportation Board's Section of Environmental Analysis (SEA) will host public meetings to receive comments on the Draft Environmental Impact Statement (Draft EIS) prepared for the Dakota, Minnesota & Eastern Railroad's proposed Powder River Basin Expansion. At each meeting, SEA will give a brief presentation and then receive public comments on the Draft EIS.

Meetings will be held in the South Dakota and Minnesota areas during the week of November 13, 2000, at the following locations, and at the dates and times listed:

**Pierre, SD**

Best Western Kings Inn  
200 South Pierre  
Pierre, SD 57501  
Monday, November 13, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

**Brookings, SD**

Brookings Inn  
2500 East 5<sup>th</sup> Street  
Brookings, SD 57006  
Tuesday, November 14, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

**Mankato, MN**

Best Western Hotel and Restaurant  
1111 Range Street  
North Mankato, MN 56003  
Wednesday, November 15, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

**Rochester, MN**

Mayo Civic Center  
30 Civic Center Drive South East  
Rochester, MN 55904  
Thursday, November 16, 2000  
1:00 - 4:00 p.m. and  
6:00 - 10:00 p.m.

In addition, written comments on the Draft EIS may be submitted until **January 5, 2001**.

For comment letters over 5 pages, please mail a signed original plus 10 copies. For comment letters 5 pages or less, a signed original is sufficient. All comments must be mailed to:

Office of the Secretary  
Case Control Unit  
STB Finance Docket No. 33407  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

Please write the following in the lower left hand corner of the envelope:

Attention: Victoria Rutson  
Environmental Project Manager  
Environmental Filing.

If you would like more information, please call SEA's toll-free environmental hotline at (877) 404-3044.



SERVICE DATE - DECEMBER 14, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33407

DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION  
CONSTRUCTION INTO THE POWDER RIVER BASIN

Decided: December 13, 2000

On September 27, 2000, the Draft Environmental Impact Statement (EIS) was issued in this proceeding. The Draft EIS provided a 90-day period (to and including January 5, 2001) for interested parties to submit comments.

The Board's Section of Environmental Analysis (SEA) and the cooperating agencies<sup>1</sup> have received requests from a wide variety of groups and individuals, including several public officials and the U.S. Environmental Protection Agency, to extend the January 5, 2001 comment due date. The majority of the requests ask for a 90-day extension, generally citing the length of the Draft EIS and the scope and complexity of the proposal. While a few commenters argue that no extension is necessary, others have asked for as much as a 6-month or 1-year extension of time.

DISCUSSION AND CONCLUSIONS

In establishing a 90-day comment period – which is twice as long as the minimum set forth in the Council on Environmental Quality's Guidelines (40 CFR 1506.10) – SEA believed that all interested parties would have sufficient time to review and comment on the Draft EIS. However, during the same time the public is reviewing and preparing comments on the Draft EIS, SEA and the cooperating agencies are also seeking public comment on the other documents contained in it (U.S. Forest Service Forest Plan Amendments, the Programmatic Agreement and Identification Plan, the Memorandum of Agreement, and the Biological Assessment). In addition, the comment period is running on Dakota, Minnesota & Eastern Railroad's (DM&E's) two permit applications to the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (Section 404 permit applications). Many of the requests for additional time stated that it has been difficult to review simultaneously all of these documents. Moreover, at the recent public meetings on the Draft EIS, including the Native American Tribal meeting on the Rosebud Sioux Reservation, a number of participants argued that

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<sup>1</sup> U.S. Department of Agriculture, Forest Service; the U.S. Department of the Interior, Bureau of Land Management; the U.S. Army Corps of Engineers; the U.S. Department of the Interior, Bureau of Reclamation; and the U.S. Coast Guard.

environmental justice communities could participate more effectively with more time to file comments.

It is important to move the environmental review process in this and every case forward without undue delay. But those requesting an extension here have made a strong case that more time is needed to provide an adequate opportunity for meaningful review and comment by the public, including environmental justice communities, on the Draft EIS and the other related documents in this particularly complex case. In these circumstances, the comment period will be extended for an additional 60 days, or until March 6, 2001. The extension will apply to the Draft EIS itself, the documents appended to it (the Forest Plan Amendments, the Programmatic Agreement and Identification Plan, the Memorandum of Agreement, and the Biological Assessment), and the Section 404 permit applications.<sup>2</sup> Comments on all of these documents must be postmarked by March 6, 2001. In order to issue the Final EIS in a timely manner, no further extensions will be granted absent compelling, unforeseen circumstances.

We note that, at the recent public meetings conducted to hear comments on the Draft EIS, a number of participants contended that additional mitigation measures are needed to adequately protect residents of the communities potentially impacted by DM&E's proposal. The extended comment period will provide an opportunity for DM&E and the affected communities to explore mutually acceptable ways to reduce potential impacts on communities, and to submit any agreements that are reached to the Board. The Board encourages railroads and communities to negotiate private solutions addressing specific local environmental concerns because these agreements are generally more effective, and in some cases, more far-reaching than environmental mitigation options we could impose unilaterally. In the absence of negotiated agreements submitted to the Board,<sup>3</sup> SEA, in preparing the Final EIS, will give careful consideration to what measures it should recommend for mitigating adverse impacts to community residents if, following the completion of environmental review, we give final approval to this project.

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<sup>2</sup> The U.S. Army Corps of Engineers has notified SEA that it will issue a decision extending the comment period on DM&E's Section 404 permit applications to the U.S. Army Corps of Engineers to March 6, 2001, to coincide with the due date for comments on the Draft EIS and associated documents.

<sup>3</sup> Our practice is to impose as a condition to our decisions approving railroad transactions a requirement that the railroad comply with the terms of all negotiated agreements developed with states, local communities, and other entities regarding environmental issues. These agreements substitute for specific local mitigation for a community that otherwise would be imposed. However, we cannot impose conditions based on negotiated agreements without knowing the terms of those agreements.

## HOW TO SUBMIT COMMENTS

Comments on the Draft EIS must be postmarked by March 6, 2001, and mailed to the address below. For comment letters over 5 pages, please mail a signed original plus 10 copies. For comment letters 5 pages or less, a signed original is sufficient. Comments must be mailed to:

Office of the Secretary  
Case Control Unit  
STB Finance Docket No. 33407  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

Please write the following in the lower left hand corner of the envelope:

Attention: Victoria Rutson  
Environmental Project Director  
Environmental Filing

Comments on the Forest Plan Amendments should be filed directly with the U.S. Forest Service. Please send written comments on the Forest Plan Amendments to Wendy Schmitzer, USFS Project Coordinator, Douglas Ranger District, 2250 East Richards Street, Douglas, WY 82633, or call (307) 358-1634. You may email comments on the Forest Plan Amendments to: [wschmitzer@fs.fed.us](mailto:wschmitzer@fs.fed.us).

Comments on the U.S. Army Corps of Engineers permitting requirements, specifically on DM&E's Section 404 permit applications, should be filed directly with the appropriate Corps of Engineers district office. Please send comments on the Section 404 permit application relating to Minnesota to Mr. Timothy Fell, U.S. Army Corps of Engineers, St. Paul District, 190 5th Street East, St. Paul, MN 55101-1638. Please send comments on the Section 404 permit application relating to South Dakota and Wyoming to Mr. Jerry Folkers, U.S. Army Corps of Engineers, Omaha District, 215 North 17th Street, Omaha, NE 68102-4978.

When submitting comments, please be as specific as possible and substantiate your concerns and recommendations.

It is ordered:

The due date for submitting comments on the Draft Environmental Impact Statement, and the documents appended to it (the Forest Plan Amendments, the Programmatic Agreement and Identification Plan, the Memorandum of Agreement, and the Biological Assessment) is extended to March 6, 2001.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams  
Secretary

*Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001*



## News

FOR RELEASE  
12/14/2000 (Thursday)  
No. 00-51

Contact: Dennis Watson  
(202) 565-1596  
TDD/TDY 1-(800) 877-8339  
[www.stb.dot.gov](http://www.stb.dot.gov)

**SURFACE TRANSPORTATION BOARD EXTENDS COMMENT PERIOD ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR DAKOTA, MINNESOTA & EASTERN RAILROAD'S (DM&E) PROPOSED POWDER RIVER BASIN EXPANSION PROJECT**

Surface Transportation Board (Board) Chairman Linda Morgan announced today that the Board has extended the public comment period on the Draft Environmental Impact Statement (Draft EIS) for the Dakota, Minnesota & Eastern Railroad's (DM&E) proposed Powder River Basin Expansion Project **for an additional 60 days, or until March 6, 2001.**

On September 27, 2000, the Board, together with five federal cooperating agencies, issued a Draft EIS in this proceeding, and provided a 90-day comment period (through **January 5, 2001**) for public review and comment. The Board's Section of Environmental Analysis (SEA) received numerous requests from a wide variety of individuals and groups, including the U.S. Environmental Protection Agency, to extend the comment due date. The majority of the requests sought a 90-day extension, generally citing the length of the Draft EIS and the scope and complexity of DM&E's proposal.

In its decision, the Board noted the importance of moving the environmental review process forward without undue delay. However, it concluded that those requesting an extension have made a strong case that more time is needed to provide an adequate

Written comments on the Forest Plan Amendments must be submitted directly to the U.S. Forest Service (USFS) at the following address:

**Wendy Schmitzer, USFS Project Coordinator  
Douglas Ranger District  
2250 East Richards Street  
Douglas, WY 82633**

or by e-mail at [wschmitzer@fs.fed.us](mailto:wschmitzer@fs.fed.us). The USFS may also be reached by telephoning (307) 358-1634.

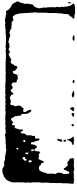
Written comments on DM&E's Section 404 permit applications should be filed directly with the appropriate U.S. Army Corps of Engineers district office. Written comments on the Section 404 permit application relating to **Minnesota** must be submitted to:

**Mr. Timothy Fell  
St. Paul District  
U.S. Army Corps of Engineers  
190 5th Street East  
St. Paul, MN 55101-1638**

Written comments on the Section 404 permit application relating to **South Dakota** and **Wyoming** must be submitted to:

**Mr. Jerry Folkers  
Omaha District  
U.S. Army Corps of Engineers  
215 North 17th Street  
Omaha, NE 68102-4978**

The Board issued its decision today in *Dakota, Minnesota & Eastern Railroad Corporation Construction into the Powder River Basin*, STB Finance Docket No. 33407. Printed copies of the written decisions discussed in this news release are available for a fee by contacting: **Dā-To-Dā Office Solutions, Room 405, 1925 K Street, N.W., Washington, DC 20006, telephone(202) 466-5530**. The decisions also are available for viewing and downloading via the Board's Website at <http://www.stb.dot.gov>



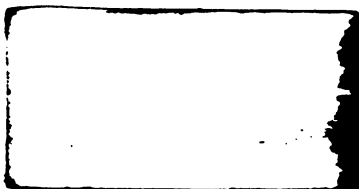
### *Please Note!*

The Surface Transportation Board (Board) has extended the comment period on the **Draft Environmental Impact Statement (EIS)** for the Dakota, Minnesota & Eastern Railroad Corporation (DM&E) Powder

River Basin Expansion Project. In a Decision served December 14, 2000, the Board extended the comment period by 60 days. Comments on the Draft EIS and related documents, including the Forest Plan Amendments, must be postmarked by **March 6, 2001**. The comment period on the U.S. Army Corps of Engineers Section 404 Permit Applications is also extended until March 6, 2001.

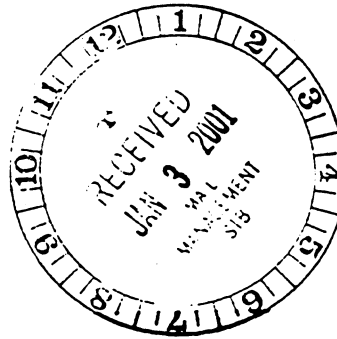
You may view the complete Decision at the Board's website at <http://www.stb.dot.gov>. If you have any questions, please feel free to call the Environmental Hotline for this project at 1-877-404-3044.

Thank you for your continued participation.



**SURFACE TRANSPORTATION BOARD  
SECTION OF ENVIRONMENTAL ANALYSIS  
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